

X
6**ATTORNEY'S DOCKET NO: C01104/70005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kevin J. Dowling and Scott Johnston
Serial No: 09/886,958
Filed: June 21, 2001
For: METHOD AND APPARATUS FOR CONTROLLING A
LIGHTING SYSTEM IN RESPONSE TO AN AUDIO INPUT

Examiner: Unassigned
Art Unit: 2173

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being facsimile transmitted in accordance with 37 C.F.R. §1.6(d) to the Commissioner for Patents at the United States Patent and Trademark Office, Technology Center 2100, Customer Service Center, fax number 1-703-746-7240, on the 20th day of November, 2001.


Janine Michalski

BOX: MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination on the merits, please enter the following amendments in the above-identified application:

IN THE CLAIMS

Please cancel the second iteration of claim 30, beginning on line 9 of page 53 of the specification.

Please substitute claim 31 below for the pending claim with the same number. A marked-up version of prior pending claim 31 with all changes made by the current amendment shown using bolded bracketing and underlining is attached hereto as the pages captioned **"Version with Markings to Show Changes Made"**.

576704.1

09886958-11001
FOOT-2569860

Serial No. 09/886,958

- 2 -

Art Unit: 2173

31. (Amended) The computer readable medium of claim 93, wherein the lighting program is a first lighting program, and wherein the method further includes an act of, during execution of the first lighting program in the act (C), switching to execution of a second lighting program in response to the second characteristic of the audio input.

Please add new claim 93 as follows:

93. (New) The computer readable medium of claim 20, wherein the at least one characteristic of the audio signal includes at least first and second characteristics, wherein the lighting program performs a mapping function from the first characteristic of the audio input to the at least one of the control signals, and wherein the act (D) includes an act of, during execution of the lighting program in the act (C), changing the mapping function performed by the lighting program in response to the second characteristic of the audio input.

09/886,958 - 11/20/01

Serial No. 09/886,958

- 3 -

Art Unit: 2173

REMARKS

In preparing a response to a Notice to File Missing Parts in the present application, Applicants noted that two iterations of a claim 30 inadvertently were filed in the application. Accordingly, in this Preliminary Amendment, Applicants have cancelled the second iteration of claim 30 beginning with line 9 on page 53 of the application, and have added this claim as new claim 93. Originally filed claim 31, which was intended to depend from the originally filed second iteration of claim 30, has been amended herein to now depend from new claim 93. No new matter is added. An early and favorable action is hereby earnestly solicited.

Respectfully submitted,

Kevin J. Dowling and Scott Johnston

By: 

Richard F. Giunta, Reg. No. 36,149

Joseph Teja, Jr., Reg. No. 45,157

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, MA 02210

Tel. (617) 720-3500

Docket No. C01104/70005

Dated: November 20, 2001

576704.1

09886958-112001

Serial No. 09/886,958

- 4 -

Art Unit: 2173

VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS**

Claim 31 has been amended as follows:

31. (Amended) The computer readable medium of claim [30] 93, wherein the lighting program is a first lighting program, and wherein the method further includes an act of, during execution of the first lighting program in the act (C), switching to execution of a second lighting program in response to the second characteristic of the audio input.

T.03221-05598860

576704.1